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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISON

HIGH COUNTRY PAVING, INC,) Cause No.: 9:18-cv-00163-DLC
)
Plaintiff,)
)
vs.)
)
UNITED FIRE & CASUALTY CO.,) NOTICE REGARDING
)
Defendant.)
)
)
)

At the Preliminary Pre-Trial Conference held on April 3, 2019, the Court set a deadline of April 10, 2019 by which United Fire & Casualty Company (“UFC”) had to file a Motion to Disqualify the Goetz Law Firm. High Country Paving (“HCP”) prepared a Preliminary Pre-Trial Statement in which it proposed that attorneys Jeff Tierney and Trent Baker would likely testify at trial but would not:

- (1) Act as trial counsel (including sitting at counsel table);

- (2) Argue the merits of the case to the Court;
- (3) Take any depositions; or
- (4) Otherwise participate in the case in a way that would reveal their role as counsel to the jury.

Robert Baldwin or other lawyers in the firm would not be disqualified, and Mr.

Baker and Mr. Tierney could work on the case other than as set forth above.

At this time, UFC is not aware of any other attorneys in the Goetz Law Firm who would be necessary witnesses at trial. Therefore, based on the available information, UFC agrees that the limitations proposed by HCP are appropriate and will not seek to disqualify either Mr. Baldwin or the Goetz Law Firm. UFC is not, however, waiving the right to seek the disqualification of additional attorneys or the Goetz Law Firm if discovery reveals that other attorneys in the Goetz Law Firm are necessary witnesses in this case.

Dated this 8th day of April, 2019.

CROWLEY FLECK PLLP

/s/ Jon T. Dyre

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